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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,863	05/20/2002	Srinivas Aluri	gems0194/yod	6160
28046	7590	01/10/2006	EXAMINER	
FLETCHER, YODER & VAN SOMEREN P. O. BOX 692289 HOUSTON, TX 77269-2289			ROY, BAISAKHI	
			ART UNIT	PAPER NUMBER
			3737	

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/063,863

Applicant(s)

ALURI ET AL.

Examiner

Baisakhi Roy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments have been fully considered but they are not persuasive. Senda teaches a system configuration [0030], with plurality of medical diagnostic components coupled via a communications circuitry [0031], and a dynamic configuration system for the plurality of medical diagnostic components distributing and extracting component-specific data [0032]. The verification and transmission of the images and data between the various components as taught by Senda would necessarily involve configuration of the various imaging components as information is distributed to and extracted by the prescribed destination devices via the network [0036]. According to the broadest reasonable interpretation of the claims, Senda clearly reads on a multi-component medical diagnostic system configured to obtain and distribute data to the various components in the network as evident in the previously cited paragraphs. Applicant's attention is re-directed to paragraphs [0041-0047], which clearly describes the configuration of the multi-component diagnostic system, where the data or images are transmitted and extracted by the specific component to the destination device. Therefore, previous rejection still stands.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 7-39, and 44-63 are rejected under 35 U.S.C. 102(e) as being anticipated by Senda (2002/0057849). Senda discloses a medical diagnostic system including a computer program and method of configuring distributed components of said system. Senda teaches said system to comprise a plurality of medical diagnostic imaging components comprising MR, CT, and ultrasound coupled via communications circuitry ([0031]), a dynamic configuration system for the plurality of medical diagnostic components comprising a data distributor, extractor, data receiver, and data processor ([0031]), where the medical diagnostic component comprises a data broadcaster of the multi-component configuration data to the multiple components ([0037] [0040] [0044-0045]) where the system is architecture independent (fig. 1), capable of being operable at runtime of the diagnostic system and within a plurality of medical modalities for cross-modality deployment [0036], scalable to facilitate additional system configuration ([0036]) and is modifiable centrally via the configuration data provider. Senda teaches said system to comprise a triggering system with a user interface ([0037] [0040]). The reference also teaches said data distributor to be disposed on one of the plurality of medical diagnostic components and component specific data extractor and processor disposed on the remaining components ([0042] [0044-0046]). The reference teaches carrying out instructions using a set protocol ([0034]) and it is inherent that the system would comprise a script interpreter for the multi-component configuration data to

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execute the operation of the system and carry application-specific information for the various components of the system.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Senda in view of Rosenfeld et al. (6804656). Senda teaches the system being able to combine multiple imaging components [0036] but does not explicitly teach x-ray components. In the same field of endeavor, Rosenfeld et al. disclose a medical diagnostic system comprising a network of medical diagnostic components including an x-ray component and CT or MRI component (col. 33 lines 46-60). It would have therefore been obvious to one of ordinary skill in the art to use the teaching by Rosenfeld et al. to modify the teaching by Senda for the purpose of enabling data transfer between multiple diagnostic systems.

5. Claims 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Senda in view of Madsen et al. (5827942). Senda teaches a configuration system for a medical diagnostic system as set forth above but does not teach processing multi-component behavioral data. In the same field of endeavor, Madsen et al. disclose a system for testing imaging performance of various medical imagers (col. 8 lines 12-13).

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It would have therefore been obvious to one of ordinary skill in the art to use the teaching by Madsen et al. to modify the teaching by Senda for the purpose of processing behavioral data on the various components of the multi-component system.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892 for other references of interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baisakhi Roy whose telephone number is 571-272-7139. The examiner can normally be reached on M-F (7:30 a.m. - 4p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian L. Casler can be reached on 571-272-4956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BR

BR


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